

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AFSHIN BAHRAMPOUR,

Petitioner,

v.

NATIONAL SECURITY AGENCY, *et al*,

Respondents.

Case No. 2:21-cv-02159-ART

ORDER

On April 14, 2017, the Court declared Plaintiff Afshin Bahrapour a vexatious litigant. *See Bahrapour v. United States*, Case No. 2:16-cv-00985-GMN-VCF, ECF No. 56. (D. Nev. Apr. 14, 2017). In so doing, the Court ordered that Mr. Bahrapour must obtain the Court's leave before filing any complaint, petition, or other document in this Court. *See id.* at 3. In that order, the Court also explained how Mr. Bahrapour must request the Court's leave:

"[I]f Plaintiff intends to file any papers with the Court, he must first seek leave of the Chief District Judge by filing an application bearing the caption "Application Seeking Leave to File." The application must be supported by a declaration of Plaintiff stating: (1) that the matters asserted in the new complaint or papers have never been raised and disposed of on the merits by any court; (2) that the claim or claims are not frivolous or made in bad faith; and (3) that he has conducted a reasonable investigation of the facts and such investigation supports the claim or claims. It is further ordered that Plaintiff shall attach a copy of this Order to any application."

Id. at 3-4. The Court will refer to these requirements as the Vexatious Litigant Requirements. On December 3, 2021, Bahrapour filed an "Application seeking leave to file" this action and attached the Court's 2017 order declaring him a vexatious litigant. (ECF No. 1). On December 8, 2021, Chief Judge Miranda Du directed Bahrapour to supplement his Application. (ECF No. 2). On December 29, 2021, Bahrapour did so. (ECF No. 3).

In contravention of the Vexatious Litigant Requirements, however,

1 Bahrapour articulates many of the same arguments as in his previous case
2 *Bahrapour v. United States of America*, Case No. 2:16-cv-00985-GMN-VCF.
3 There, as here, Bahrapour articulates frivolous claims about the United States
4 Government's use of electromagnetic field (EMF) technology to control its citizens.
5 Bahrapour's attachment of additional documents relating to these theories to
6 his Application in this action does not satisfy the first Vexatious Litigant
7 Requirement, namely that "the matters asserted in the new complaint or papers
8 have never been raised and disposed of on the merits by any court."

9 The Court will therefore deny Mr. Bahrapour's application assigned the
10 above-captioned case number. For administrative purposes, the Court will
11 dismiss this action and direct its closure.

12 It is therefore ordered that this action be dismissed, in its entirety, without
13 prejudice.

14 The Clerk of Court is directed to close this case.

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16 DATED THIS 26th day of September, 2022.

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20 ANNE R. TRAUM
21 UNITED STATES DISTRICT JUDGE
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